

In re the Application of: **Seiichi KUSUMOTO et al.**

Group Art Unit: **2871**

Serial No.: **10/068,094**

Examiner: **Thoi V. Duong**

Filed: **February 5, 2002**

Confirmation No.: **7488**

For: **POLARIZING FILM POLARIZING PLATE AND LIQUID CRYSTAL
DISPLAY**

Attorney Docket Number: **020619**

Customer Number: **38834**

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

August 4, 2005

Sir:

The undersigned respectfully requests a refund in the amount of **\$330.00** charged in error to our deposit account No. 50-2866 for the above-identified patent application. A copy of the Deposit Account monthly statement of June, 2005 accompanies this Request.

The payment of \$120.00 for the first month extension of time was made on June 6, 2005 together with the Amendment since **June 4, 2005 was a Saturday**. A copy of the Petition for Extension of Time, the check stub and the date-stamp postcard is attached.

Applicants request that the Patent Office refund the amount of **\$330.00** to Deposit Account 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

Nicolas E. Seckel
Attorney for Applicants
Registration No.: 44,373

NES/ya
1250 Connecticut Avenue, NW
Suite 700
Washington, D.C. 20036
(202) 822-1100

Enclosures: Deposit Account Monthly Statement of June 2005
Copy of Petition of Extension of Time and Amendment
Copy of Check Stub; Copy of Date-stamped Postcard



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Deposit Account Statement

Requested Statement Month: June 2005
Deposit Account Number: 502866
Name: WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
Attention: ACCOUNTS PAYABLE
Address: 1250 CONNECTICUT AVE, NW
City: WASHINGTON
State: DC
Zip: 20036
Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
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06/03	3	09929063	Q65846	1202	\$100.00	\$3,689.00
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06/06	3	10670291	031181	1806	\$180.00	\$3,549.00
06/06	4	10400399	030364	1806	\$180.00	\$3,369.00
06/07	2	11061724		9204	-\$360.00	\$3,729.00
06/08	2	10019318	011783	1811	\$100.00	\$3,629.00
06/08	13	10305058	000714A	1201	\$86.00	\$3,543.00
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06/10	636	10519800		9204	-\$100.00	\$3,843.00
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06/20	22	10522236		9204	-\$500.00	\$6,773.00
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06/27 5	09313764 990527	1251	-\$120.00	\$7,217.00
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START	SUM OF	SUM OF	END
BALANCE	CHARGES	REPLENISH	BALANCE
\$3,669.00	\$1,876.00	\$5,524.00	\$7,317.00

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Seiichi KUSUMOTO et al.**

Group Art Unit: **2871**

Serial No.: **10/068,094**

Examiner: **Thoi V. Duong**

Filed: **February 5, 2002**

Confirmation No.: **7488**

For: **POLARIZING FILM POLARIZING PLATE AND LIQUID CRYSTAL
DISPLAY**

Attorney Docket Number: **020619**

Customer Number: **38834**

PETITION FOR EXTENSION OF TIME

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

COPY

Date: June 6, 2005

Sir:

Applicants petition the Commissioner for Patents to extend the time for response to the Office Action dated February 4, 2005 for one month(s) from May 4, 2005 to June 4, 2005. It is submitted that this paper is being timely filed since June 4, 2005 was a Saturday.

Attached please find a check in the amount of **\$120.00** to cover the cost of the extension. If any additional fees are due in connection with this paper, please charge our Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Nicolas E. Seckel

Attorney for Applicants

Registration No. 44,373

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NES/ya

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Seiichi KUSUMOTO et al.

Confirmation No.: 7488

Serial Number: 10/068,094

Group Art Unit: 2871

Filed: February 5, 2002

Examiner: Duong, Thoi V.

For: POLARIZING FILM, POLARIZING PLATE AND LIQUID CRYSTAL DISPLAY

Atty. Docket No.: 020619

Customer No.: 38834

SUPPLEMENTAL REQUEST FOR RECONSIDERATION
UNDER 37 C.F.R. 1.116
WITH
RENEWED REQUEST FOR WITHDRAWAL OF FINALITY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

June 6, 2005

Further to the Request for Reconsideration filed on March 18, 2005 in response to the Office Action dated February 4, 2005, and further to the Advisory Action dated April 7, 2005, Applicants respectfully request that the rejection of record be reconsidered in view of the following remarks and the enclosed Declaration under Rule 1.132.

The current version of the Claims is reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 6 of this paper.

A Declaration under 37 C.F.R. 1.132 by the present inventors is submitted with this paper.

A petition for a one-month extension of the time period for response is also submitted with this paper. This paper is being timely filed because June 4, 2005 was a Saturday.

CURRENT VERSION OF THE CLAIMS

The following listing of claims is the current version of the claims in the application:

LISTING OF CLAIMS:

1. (previously presented): A polarizing film comprising a non-UV-treated stretched film containing iodine, wherein an absorbance of said polarizing film comprises an absorption peak A in a wavelength range of 550 to 650 nm and an absorption peak B in a wavelength range of 450 to 520 nm, and an absorbance characteristics ratio of (absorption peak A/absorption peak B) is no more than 1.5, wherein the absorbance peaks are measured after arranging the polarizing film in a crossed Nicol.

2. (original): A polarizing plate comprising the polarizing film according to claim 1 and a transparent protective layer on one side or both sides of the said polarizing film.

3. (original): The polarizing plate according to claim 2, comprising a hard coating layer on an external surface of the transparent protective layer of the polarizing plate.

4. (original): The polarizing plate according to claim 3, the hard coating layer comprises a transparent particle in dispersed state.

5. (original): The polarizing plate according to claim 2, comprising an adhesive layer for adhesion with other members on one side or both sides thereof.

6. (original): The polarizing plate according to claim 2, comprising at least one of a retardation plate and a brightness enhanced plate.

7. (original): A liquid crystal display having a polarizing plate according to claim 2.

8-20. (canceled)

21. (previously presented): The polarizing plate according to claim 3, comprising an

adhesive layer for adhesion with other members on the hard coating layer.

22. (previously presented): The polarizing plate according to claim 21, comprising at least one of a retardation plate and a brightness enhanced plate on the adhesive layer.

23. (previously presented): The polarizing plate according to claim 2, wherein the thickness of the transparent protective layer is from 5 to 200 μm .

24. (previously presented): The polarizing plate according to claim 2, wherein the transparent protective layer contains transparent particles selected from the group consisting of inorganic fine particles made of silica, alumina, titania, zirconia, tin oxide, indium oxide, cadmium oxide, antimony or oxide, and organic fine particles made of a cross-linked or non-cross-linked polymer.

25. (previously presented): The polarizing plate according to claim 5, wherein the adhesive layer comprises at least one of an acryl series polymer, a silicone series polymer, polyester, polyurethane, polyamide, polyether, fluorine series polymer, and rubber series polymer.

26. (previously presented): The liquid crystal display according to claim 7, wherein the polarizing plate comprises a hard coating layer on an external surface of the transparent protective layer.

27. (previously presented): The liquid crystal display according to claim 26, wherein the hard coating layer comprises a transparent particle in dispersed state.

28. (previously presented): The liquid crystal display according to claim 7, wherein the polarizing plate comprises an adhesive layer for adhesion with other members on one side or both sides thereof.

29. (previously presented): The liquid crystal display according to claim 7, wherein the

polarizing plate comprises at least one of a retardation plate and a brightness enhanced plate.

30. (previously presented): The polarizing film according to claim 1, wherein the absorbance characteristics ratio is no more than 1.4.

31. (previously presented): The polarizing film according to claim 1, wherein the absorbance characteristics ratio is no more than 1.3.

32. (previously presented): The polarizing film according to claim 1, wherein the absorbance characteristics ratio is no more than 1.2.

33. (previously presented): The polarizing film according to claim 1, having a stretching ratio of no more than 50%.

34. (previously presented): The polarizing film according to claim 1, having a stretching ratio of from 1 to 20%.

35. (previously presented): The polarizing film according to claim 1, having a stretching ratio of from 2 to 10%.

36. (previously presented): The polarizing film according to claim 1, having a thickness of 5 to 80 μm .

37. (previously presented): A polarizing film having an absorbance comprising an absorption peak A in a wavelength range of 550 to 650 nm and an absorption peak B in a wavelength range of 450 to 520 nm, and having an absorbance characteristics ratio (absorption peak A/absorption peak B) of no more than 1.5, wherein the absorbance peaks are measured after arranging the polarizing film in a crossed Nicol, and wherein a retardation of the film measured using a light having a wavelength of 900 nm does not exceed 1100 nm.

38. (previously presented): A polarizing film according to claim 37, which is of a

transmission type.

39. (previously presented): A polarizing film according to claim 37, which is of a reflective type.

40. (previously presented): A polarizing film according to claim 1, wherein the stretched film is a wet stretched film.

41. (previously presented): A polarizing film comprising a stretched film containing iodine and having a stretching ratio of no more than 50%, wherein an absorbance of said polarizing film comprises an absorption peak A in a wavelength range of 550 to 650 nm and an absorption peak B in a wavelength range of 450 to 520 nm, and an absorbance characteristics ratio (absorption peak A/absorption peak B) is no more than 1.5, wherein the absorbance peaks are measured after arranging the polarizing film in a crossed Nicol.

42. (previously presented): The polarizing film according to claim 41, having a stretching ratio of from 1 to 20%.

43. (previously presented): The polarizing film according to claim 41, having a stretching ratio of from 2 to 10%.

REMARKS

Claims 1-7 and 21-43 are pending in the present application. Claims 1, 37, and 41 are the only independent claims.

In the Office Action, claims 1-7 and 21-43 are rejected under 35 U.S.C. 102(a) as anticipated by JP 2001-091736 ("Kusumoto").

As a preliminary, withdrawal of the finality of the Office Action is respectfully requested for the reasons stated in the Request for Reconsideration filed on March 18, 2005, which have not been addressed in the Advisory Action dated April 7, 2005. Namely, the rejection could have been made in a previous Office Action but for the USPTO error in entering an inexistent priority claim, and making the rejection over Kusumoto final in this Office Action deprives the applicants of a fair opportunity to address the rejection.

Further, reconsideration and withdrawal of the rejection is again respectfully requested. As indicated in the Request for Reconsideration filed on March 18, 2005, JP 2001-091736 ("Kusumoto") is the Japanese application publication of the prior application JP 11-265412 filed on September 20, 1999 by the same inventors named in the present application, and published on April 6, 2001. The prior Japanese application is listed in the Declaration in the present application.

A Declaration under Rule 1.132 is submitted with this paper, in which the present inventors confirm that, in spite of the inaccurate English transliteration in an English abstract, the present inventors are the inventors listed in the Kusumoto Japanese publication, and the subject matter related to the present invention disclosed in Kusumoto is the disclosure of their own work and was obtained from them.

As a result, Kusumoto is not available as prior art under 35 U.S.C. 102(a).

In view of the above, it is submitted that the rejection should be withdrawn.

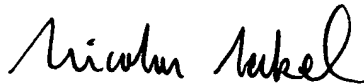
In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

In the event there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Nicolas E. Seckel
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Atty. Docket No.: 020619

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WESTERMAN, HATTORI, DANIELS, & ADRIAN, LLP - OPERATING ACCOUNT

Client	Matter	Invoice #	Description
7886	0014	7886 0014	

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06/06/05 Total this stub

8462	Amount
	120.00
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	120.00

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U.S. Patent Application

Serial No.: 10/068,094

Patent No:

Applicant(s): Seiichi KUSUMOTO et al.

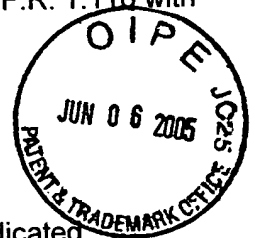
Docket No: 020619

Filed: February 5, 2002

Issued:

Papers filed herewith on: June 6, 2005

Petition for Extension of Time and Fee: **\$120.00** (1st month)
Supplemental Request for Reconsideration under 37 C.F.R. 1.116 with
Renewed Request for Withdrawal of Finality w/
Declaration under 37 CFR 1.132



COMMISSIONER OF PATENTS

Receipt is hereby acknowledged of the papers filed as indicated
in connection with the above-identified case.

NES/ya